

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE  
(PPA) PRODUCTS LIABILITY  
LITIGATION,

MDL NO. 1407

ORDER DENYING JOINT  
MOTION FOR EXTENSION OF  
TIME FOR FACT DISCOVERY

\_\_\_\_\_  
This document relates to:

Isac, et al. v. Alpharma, et  
al., No. 5-cv-84.

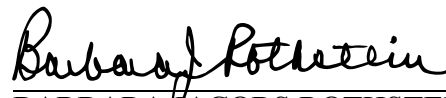
Plaintiff George Isac and Defendant Alpharma, Inc. jointly move the court to extend the case-specific fact discovery deadline in this matter by six months, to June 25, 2006. Plaintiff filed suit on November 15, 2004. On February 1, 2005, the case was transferred to this court and docketed in MDL 1407. Thereafter, on February 16, 2005, defendants filed a motion to transfer the case and dismiss plaintiff's claims.<sup>1</sup> The motion became ripe on March 15, 2005 and the court issued an order denying the motion on June 24, 2005. Pointing to the "significant time" between the transfer to the MDL and the court's order denying the motion, the parties claim they need an additional six months to complete discovery.

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<sup>1</sup>The parties incorrectly state that the case was docketed with MDL 1407 on December 17, 2004 and that the motion for transfer and dismissal was filed on January 11, 2005.

1 The court is not persuaded. It is incumbent on the parties  
2 to pursue discovery in a timely manner. The parties do not  
3 provide any information regarding the discovery, if any, they  
4 have conducted in the six months that have passed since the court  
5 issued the June 24, 2005 Order. They also failed to discuss what  
6 discovery remains outstanding or explain specifically why they  
7 have been unable to complete the discovery within the last six  
8 months. Nor do they explain why they think it will take them an  
9 additional six months to complete discovery. In short, the  
10 parties have failed to provide sufficient grounds on which the  
11 court can grant the motion.

12 Based on the foregoing, the parties' joint motion to extend  
13 the case-specific discovery deadline in this case is DENIED.

14 DATED at Seattle, Washington this \_\_\_\_ day of November, 2005.

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16 BARBARA JACOBS ROTHSTEIN  
17 UNITED STATES DISTRICT COURT  
18 JUDGE  
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